



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUN 15 2011

U.S. Army Corps of Engineers, Omaha District
ATTN: Cynthia S. Upah
1616 Capitol Avenue
Omaha, Nebraska 68102

Dear Ms. Upah:

RE: Final Programmatic Environmental Impact Statement for the Mechanical Creation and Maintenance of Emergent Sandbar Habitat on the Riverine Sediments of the Upper Missouri River, CEQ # 20110147

The U.S. Environmental Protection Agency has received and reviewed the U.S. Army Corps of Engineers' referenced Final PEIS pursuant to our authorities under the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act. The EPA, Regions 7 and 8 have jointly reviewed the document and collaboratively developed these comments.

The Corps intends to tier the PEIS from the Final Environmental Impact Statement and Record of Decision for the Master Water Control Manual Review and Update (2004) for the Missouri River and proposes to tier environmental assessments for future site-specific Emergent Sandbar Habitat restoration projects from this PEIS.

In our February 22, 2011, letter, the EPA rated the preferred alternative within the Draft PEIS as having Environmental Concerns based on insufficient information (EC-2) regarding the limits to the scope of the PEIS, its relationship to MRRP's ESH sub-program and the latitude provided by the Adaptive Management strategy by which it will be implemented. After reviewing your response to our comments in your April 20, 2011, letter and the Final PEIS, we believe the Final PEIS has fully addressed those issues. The Final PEIS provides greater clarity in understanding the relationship between the actions described in the PEIS and the broader ESH sub-program of the MRRP, as guided by the AM strategy.

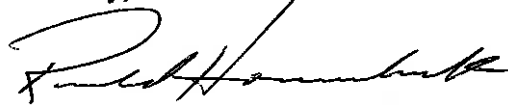
The PEIS AM Strategy recognizes the importance of acquiring a complete understanding of the interactions between river sediment movement, aggradation and degradation within the riverine segments of the upper Missouri River and the performance and sustainability of ESH, specifically within Section 1.2, which addresses uncertainties, and Section 5.4, which addresses priorities (Priority 11). Section 5.4 of the AM Strategy states "a scope is currently being developed for a Missouri River sediment budget." We understand this to mean that such a budget would be developed for the entire Missouri River, particularly to include segments below Gavins Point dam to the confluence with the Mississippi River. This sediment budget would support and strengthen all recovery and restoration efforts encompassing the entire River, including the reservoir system which is experiencing filling and loss of storage capacity and the navigable lower River which is experiencing significant bed loss which threatens both infrastructure and floodplain habitat. We strongly support the Corps' efforts to secure

funding for this investigation which is essential to the AM Strategy and the Missouri River Ecosystem Restoration Plan, as well as numerous infrastructure protection and regulatory decisions.

In addition, we encourage the Corps to make continual improvements to the AM Strategy to include provisions more specifically describing how the ESH program will be adapted in the event that mechanical methods do not achieve the necessary biological responses. Facing limited federal funding, the AM Strategy might also include the possibility of reevaluating the operational parameters of the Missouri River Mainstem System and its EIS from which this PEIS tiers (i.e., flow) or renewed consultation on the Biological Opinion.

Thank you for the opportunity to review the Final PEIS and we look forward to continuing to work with you and your cooperating agencies in the implementation of the ESH program and the Adaptive Management Implementation Process. If you have any questions regarding these comments, please contact Joe Cothorn, NEPA Team Leader, U.S. EPA Region 7, at (913) 551-7148, cothorn.joe@epa.gov or Larry Svoboda, NEPA Compliance and Review Program Director, U.S. EPA Region 8, at (303) 312-6004, svoboda.larry@epa.gov.

Sincerely,



Ronald F. Hammerschmidt, Ph.D.
Director
Environmental Services Division

Enclosures

cc: Steve Mietz, U.S. DOI/NPS
Henry Maddux, U.S. DOI/FWS
Randy Sellers, U.S. Army Corps/Omaha District
Wayne Nelson-Stastny, U.S. DOI/FWS